

NMED Exhibit 14
Proposed Amendments to Liquid Waste Regulations
Not Contained in Petition EIB 12-01(R)

7.I(8)

The reference to “food plants” should be deleted from this new definition and should read (8) “irrigation means the use of wastewater effluent to water landscaped areas or fruit and nut trees.” The reason for this change is that irrigation of food plants other than fruit and nut trees is prohibited by 809.N.

201.I

With regard to effluent monitoring of systems treating RV waste, the language in the petition should be amended to read, “Monitoring of the effluent may be required in accordance with 20.7.3.901 NMAC.” The reason for this change is that effluent monitoring data in the State of New Mexico demonstrate that not all RV waste requires advanced treatment.

201.O(3)

There is a typo in the petition. This section should read, “Wastewater flows for residential and nonresidential sources also may be based on:”

302.A(4)

The proposed language in the petition for this footnote to Table 302.1 should be further amended to read, “**** Plus 2 feet for each additional foot of depth below point of discharge.” The reason for this change is that the provision of existing regulation 20.7.3.703.J, that excludes the bottom six inches of trench sidewall from absorption area credit, is proposed to be deleted.

502.D

The proposed language to increase riser diameter from 30 inches to 36 inches for depths greater than 3 feet appears to have resulted from a miscommunication and is withdrawn from Petition EIB 12-01(R).

603

After further consideration and discussion, Section 20.7.3.603 is proposed to be revised from the amended petition to read as follows:

A. Tertiary treatment systems shall provide [~~nutrient~~]total nitrogen (TN) removal in addition to secondary treatment.

B. For lots that exceed the allowable hydraulic loading pursuant to Subsection C of 20.7.3.301 NMAC, a department approved tertiary treatment unit may be installed. The treatment unit must be capable of removing TN to a concentration equal to or less than the concentration limit calculated pursuant to 20.7.3.603.C NMAC.

C. Utilizing the standard loading equation, $(\text{flow (gpd)} \times \text{conc. (mg/l)} \times 8.34 \text{ lbs./gal.} \times 365 \text{ days/yr}) / 1,000,000 = \text{lbs./yr/ac.}$, and assuming an average of 60 mg/l of TN in the septic tank effluent and a maximum flow of 500 gpd/ac, the following simplified equation shall be used for determining the required TN concentration limit allowed for a specific lot size: $\text{total nitrogen concentration (in mg/l)} = [\text{lot size (in acres)} / \text{design flow (in gpd)}] \times 30,000$. ~~The concentration limit shall be based on a 6-sample rolling average with no single sample exceeding twice the concentration limit.~~

D. ~~[Tertiary treatment systems and the disposal from tertiary treatment systems shall meet the specific site conditions set forth in 20.7.3.605 NMAC.]~~

The treatment unit shall be operated in accordance with manufacturer's specifications and department approval conditions.

E. TN effluent testing, when required pursuant to 20.7.3.901.C NMAC, shall meet the concentration limit calculated pursuant to 20.7.3.603.C NMAC as approved by the department. The concentration limit shall be based on a 6-sample rolling average with no single sample exceeding twice the concentration limit.

605.E

The proposed amendment needs to be clarified that this section refers to the setback between the drainfield and the water well. "The following treatment levels are required for a reduction in the drainfield setback distance to a drinking water well."

605.H

The existing language needs to be clarified to read, "If the existing level of nitrate-N in the groundwater exceeds 5 mg/L, ..." This is needed to make clear that the 5 mg/L concentration applies to nitrate measured as nitrogen, rather than to nitrate measured as nitrate.

901

After further consideration and discussion, Section 20.7.3.901 is proposed to be revised from the amended petition as follows:

Subsection 901.B(2) is proposed to be modified from the amended petition to read as follows:

"Parameters should be measured at locations within the treatment unit that will demonstrate the effectiveness of treatment."

Subsection 901.C is proposed to be modified from the amended petition to read as follows, while keeping subsections 1-4 the same as proposed:

"Effluent sampling shall be required for on-site liquid waste systems that do not conform to manufacturer guidelines for field parameters pursuant to 20.7.3.901.B NMAC, for systems

where the manufacturer has not established guidelines for field parameters, or for systems that the department has determined are not operating properly. Sampling shall be conducted annually, or as otherwise required by the department.”